

Applicants : Yee Mau CHEN and Sum Fat POON
Application No. : 10/776,971
Filing Date : February 11, 2004
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REMARKS

In the August 18, 2006 Office Action, the Examiner states that all pending claims 29, 30 and 32-36 "are allowable over the prior art of record." However, the Examiner has provisionally rejected said claims "on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 11/195,843."

In response, Applicants recite from MPEP 804.I.A.1, first paragraph,

"If a "provisional" nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer."

Accordingly, provisional nonstatutory obviousness-type double patenting rejection is the only rejection remaining in the earlier-filed Application No. 10/776,971. As such, this Application is in conditions for allowance.

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CONCLUSION

Applicants respectfully urge the Examiner to withdraw the provisional nonstatutory obviousness-type double patenting rejection on Application No. 10/776,971, pursuant to the above-cited MPEP guideline, and permit the Application to issue as a patent without a terminal disclaimer.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicants
Law Offices of
Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357
Tel: (718) 799-1000
Fax: (718) 357-8615
Email: chank@kitchanlaw.com

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P.O. Box 1450
Alexandria, VA 22313-1450
Fax No.: (571) 273-8300

on the date shown below.

Albert Wai-Kit Chan 10/17/06
Albert Wai-Kit Chan Date
Reg. No. 36,479